



*Handwritten:* #26  
7/19/01  
RECEIVED  
JUL 17 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

LOCHT et al

Atty. Ref.: 960-25

TECH CENTER 1600/2900

Serial No.: 08/765,287

Group Art Unit: 1645

Filed: September 12, 1997

Examiner: Devi, S.

For: RECOMBINANT PROTEINS OF FILAMENTOUS HAEMAGGLUTININ OF  
BORDETELLA, PARTICULARLY BORDETELLA PERTUSSIS, METHOD  
FOR PRODUCING SAME, AND USES THEREOF FOR PRODUCING  
FOREIGN PROTEINS OR VACCINATING ACTIVE PRINCIPLES

\* \* \* \* \*

July 13, 2001

RESPONSE

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

Sir:

This is in response to the Communication dated  
June 13, 2001, in the above.

The Communication indicates that the proposed  
amendment to the claims has not been entered. The  
Communication states:

The claims of this application contain  
underling or brackets that are intended  
to appear in the printed patent or are  
properly part of the claimed material.  
The brackets or underlining are not  
intended to indicate amendments or  
changes in the claims. Under these  
conditions, proposed amendments to the  
claims may not be made by underlining  
words added or by bracketing words to  
be deleted.

The Examiner's attention is respectfully directed to the fact that in the January 26, 2001 Amendment Under Rule 116, entry of which was requested in the RCE filed March 256, 2001, claims 16 and 17 were cancelled and new claims 40 and 41 added. Neither of the new claims included any bracketing or underlining. Accordingly, basis for the above-quoted statement is not seen. The Examiner is requested to clarify the basis for the objection and afford Applicants a period in which to respond, or withdraw the objection.

Respectfully submitted,

**NIXON & VANDERHYE, P.C.**

By Mary J. Wilson  
Mary J. Wilson  
Reg. No. 32,955

MJW:tat

1100 North Glebe Road  
8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100